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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/517,340	12/09/2004	Edoardo Facchini	APV31843	2831

24257 7590 12/01/2006

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WASHINGTON, DC 20036

EXAMINER
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BONCK, RODNEY H

ART UNIT	PAPER NUMBER
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3681

DATE MAILED: 12/01/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/517,340	FACCHINI, EDOARDO	
	<b>Examiner</b>	<b>Art Unit</b>	
	Rodney H. Bonck	3681	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 24 October 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,2,13,24 and 26-29 is/are rejected.
- 7) ☒ Claim(s) 3-12,14-23 and 25 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 October 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                     | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date. _____   | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

The following action is in response to the amendment received October 24, 2006.

### ***Drawings***

The proposed replacement and new sheets of drawings were received on October 24, 2006. These drawings are approved for entry and overcome the objection to the drawings set forth in the previous Office action. Accordingly, the objection is withdrawn.

### ***Claim Objections***

Claim 15 is objected to because of the following informalities: In line 2 of claim 15, "the relative wider part" should be -- a relative wider part --, and in line 3 of claim 15, "the relative narrower parts" should be -- relative narrower parts --. These terms were not previously defined in claim 15 of the claims from which it depends. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 2, 24, and 26-28 are rejected under 35 U.S.C. 102(b) as being anticipated by Roper('002). Roper discloses a transmission device comprising first and second rotary members 41,42 and clamping means in the form of rollers 43. The members are able to rotate in the two directions independently or can be coupled to be rotationally solid. A braking member is provided at 111; and, as seen in Figs. 7-9, can be of the fluid type or the magnetic or electromagnetic type.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 13 and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Roper('002) in view of Baker et al.('455). In Roper the clamping means are rollers, but Baker et al. suggest using sliding blocks 44,46 as clamping means in a similar transmission device. It would have been obvious to use the sliding blocks instead of rollers, the motivation being to provide a more positive coupling.

***Allowable Subject Matter***

Claims 3-12, 14-23 and 25 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

### ***Response to Arguments***

Applicant's arguments filed October 24, 2006 have been fully considered but they are not persuasive with regard to the rejected claims. Applicant argues that Roper couples the first and second members when there is sufficient relative slippage. This is true, but this is the "third condition" called for in claim 1. The claim is silent as to relative slippage. Applicant also point out that the Roper device is not coupled "thanks to manual and/or external command or control". Even if this is true, the claims do not call for "manual and/or external command or control". In the electromagnetic embodiment of Roper, however, external control would be provided to coil 140. Regarding the "sliding clamping blocks", the sprags of Baker et al. can be considered "sliding clamping blocks" insofar as defined. Sprags are a well-known alternative to rollers in this environment.

After reconsideration, it is agreed that claims 3-12, 14-23 and 25 distinguish over the prior art of record. Accordingly, the rejections under 35 USC 102 and 35 USC 103 as applied to these claims are withdrawn.

The amendments filed October 24, 2006 overcome the rejection under 35 USC 112, 2<sup>nd</sup> paragraph. Accordingly that rejection is also withdrawn.

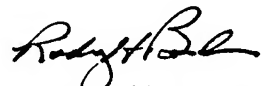
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rodney H. Bonck whose telephone number is (571)

Art Unit: 3681

272-7089. The examiner can normally be reached on Monday-Friday 7:00AM - 3:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles A. Marmor can be reached on (571) 272-7095. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

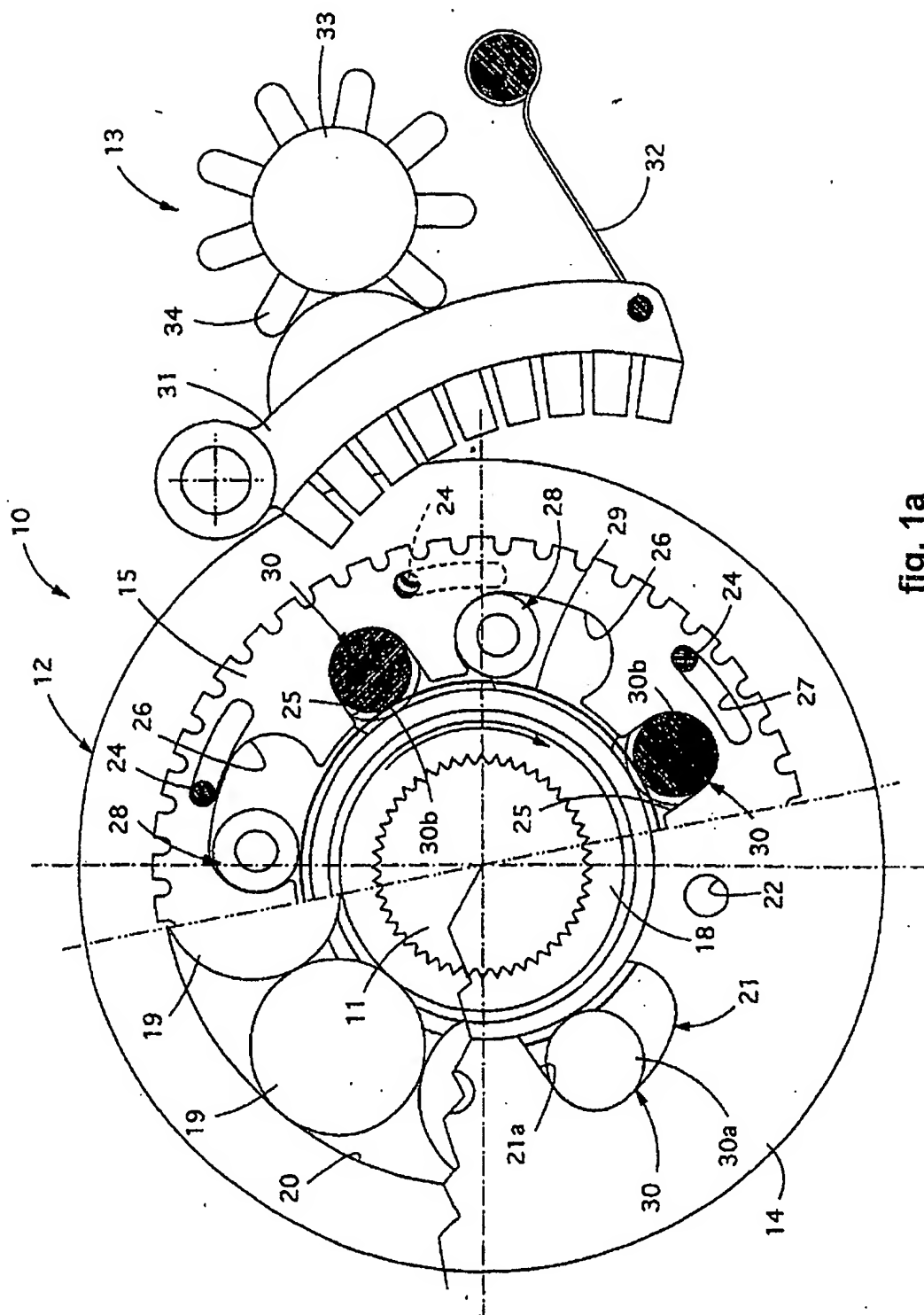


Rodney H. Bonck  
Primary Examiner  
Art Unit 3681

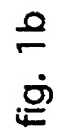
rhb  
November 27, 2006

Approved  
RHS  
11/27/06

REPLACEMENT SHEET Application No. 10/517,340



Approved  
RWB  
4/27/06



**fig. 1b**



Approved  
Belle  
4/27/06

